

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:19-cr-437-DPM

TOMMY COLLIER

DEFENDANT

ORDER

1. On 2 January 2023, Collier filed a motion to suppress the physical evidence against him. *Doc. 43*. His motion is based in part on arguments about the reliability of the drug-detection dog that alerted on the car he was driving. He also filed an *ex parte* motion for approval of a drug-dog expert, *Doc. 49 & 54*, which the Court approved today. *Doc. 55*. Collier filed a separate motion to suppress incriminatory statements, as well as two motions *in limine*.

2. There is not enough time to resolve the late-breaking drug-dog issue before the January 23rd trial. Collier's expert will need time to prepare; the Government is entitled to a summary of his testimony, *Doc. 39 at 1*; and the Court will need to hold a suppression hearing. Trial is therefore continued to 31 July 2023. The period of delay is excluded under 18 U.S.C. § 3161(h)(1)(D). And considering the parties' diligence, the ends of justice are better served by giving Collier and the United States more time to finish preparing this case for trial. This interest outweighs both Collier's and the public's interest in a speedy

trial. The period of delay is excluded under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) & (B).

3. Given the age of the case and the length of the continuance, no further continuances will be granted absent extraordinary circumstances.

4. The Court will hold a three-hour suppression hearing starting at 8:30 a.m. on 19 April 2023.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.  
United States District Judge

13 January 2023